

[40128/00901]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : HEMMERLING et al.
Serial No. : 10/730,811
Filed : December 8, 2003
For : Neuromuscular Monitoring Using Phonometrygraphy
Group Art Unit : 3762
Examiner : To Be Assigned

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

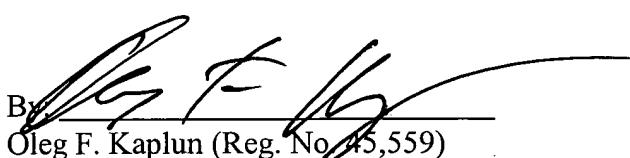
RESPONSE

In response to a Notice to File Missing Parts mailed on March 10, 2004, transmitted herewith is a copy of an executed Declaration for filing in the above-identified patent application. A copy of the Notice is enclosed herewith.

Dated:

Aug. 9, 2004

By


Oleg F. Kaplun (Reg. No. 35,559)

FAY KAPLUN & MARCIN, LLP
150 Broadway, Suite 702
New York, N.Y. 10038
(212) 619-6000 (telephone)
(212) 619-0276 (facsimile)



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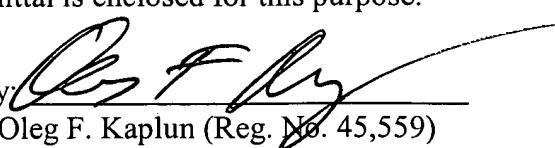
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Mail Stop: Missing Parts

<u>Certificate of Mailing</u>	
I hereby certify that this correspondence is being deposited with U.S. Postal Services as first class mail in an envelope addressed to:	
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	
By:	Date: 8/9/04
Oleg F. Kaplun (Reg. No. 45,559)	

TRANSMITTAL

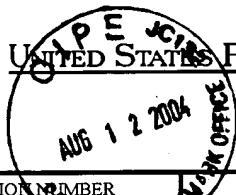
Transmitted herewith please find a Response to a Notice to File Missing Parts mailed on March 10, 2004 along with a Supplemental Information Disclosure Statement and PTO-1449. Applicants hereby request a three month extension. The Commissioner is hereby authorized to charge the Deposit Account of Fay Kaplun & Marcin, LLP No. 50-1492 in the amount of \$540.00 and any additional fees required. A copy of the Transmittal is enclosed for this purpose.

Dated: Aug. 9, 2004

By: 
Oleg F. Kaplun (Reg. No. 45,559)
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150 Broadway, Suite 702
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08/12/2004 SMINASS1 00000037 501492 10730811

02 FC:2253 475.00 DA



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/730,811	12/08/2003	Thomas Hemmerling	

CONFIRMATION NO. 2726

FORMALITIES LETTER



OC000000012061266

Fay Kaplun & Marcin, LLP
 Suite 702
 150 Broadway
 New York, NY 10038

Date Mailed: 03/10/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/12/2004 SMINASS1 00000037 501492 10730811

FILED UNDER 37 CFR 1.53(b)

01 FC:2051 65.00 DA

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Wright

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE